

4 RCE  
JFW

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
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Washington, DC 20231

|                        |                          |
|------------------------|--------------------------|
| Application Number     | 10/004,474               |
| Filing Date            | 10/23/2001               |
| First Named Inventor   | John R. Liddicoat et al. |
| Art Unit               | 3731                     |
| Examiner Name          | Julian W. Woo            |
| Attorney Docket Number | VIA-12                   |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a.  Previously submitted

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other

2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-0221

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other any deficiencies

b.  Check in the amount of \$ 385.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

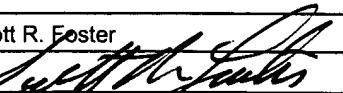
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |            |
|-------------------|---|-----------------------------------|------------|
| Name (Print/Type) | Scott R. Foster   | Registration No. (Attorney/Agent) | 20,570     |
| Signature         |  | Date                              | 08/31/2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX RCE. Commissioner for Patents. PO Box 1450. Alexandria, VA 22313-1450 on the date shown below.

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| Name (Print/Type) | Scott R. Foster   |
| Signature         |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: BOX RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

EC/VIA12.RCE

VIA-12

09/03/2004 ANABII 00000095 10004474  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John R. Liddicoat et al.  
Serial No.: 10/004,474  
Filing Date: 10/23/2001  
For: AUTOMATED ANNULAR PLICATION FOR MITRAL  
VALVE REPAIR  
Group Art Unit: 3731  
Examiner: Julian W. Woo  
Attorney's Docket No.: VIA-12

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

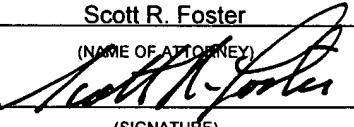
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(DATE OF DEPOSIT)

Scott R. Foster

(NAME OF ATTORNEY)

  
(SIGNATURE)

August 31, 2004

(DATE OF SIGNATURE)

Sir:

AMENDMENT

This is in response to the Official Action currently  
outstanding with respect to the above-identified patent  
application.

Please amend the application as follows:

VIA-12